

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Marcelo Sandoval,

Case No. 4:19-cv-29

Petitioner,

v.

ORDER

Mark Williams, Warden,

Respondent.

Before me is the January 16, 2020 Report and Recommendation of Magistrate Judge Thomas M. Parker, (Doc. No. 11), recommending I dismiss Petitioner Marcelo Sandoval's petition for a writ of habeas corpus under 28 U.S.C. § 2241 as moot because Sandoval no longer is in custody pursuant to the conviction he challenged in that petition.

Under the relevant statute, “[w]ithin fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court.” 28 U.S.C. § 636(b)(1); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981). The fourteen-day period has elapsed and no objections have been filed.

The failure to file written objections to the Magistrate Judge's Report and Recommendation constitutes a waiver of a determination by the district court of an issue covered in the report.

Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see also Walters*, 638 F.2d at 950 (6th Cir. 1981); *Smith v. Detroit Fed'n of Teachers, Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) (“[O]nly those specific objections to the magistrate's report made to the district court will be preserved for appellate review”).

Following my review of the Magistrate Judge's Report and Recommendation, I adopt the Report and Recommendation, (Doc. No. 11), in its entirety as the Order of the Court and dismiss Sandoval's petition. Further, I certify there is no basis on which to issue a certificate of appealability. 28 U.S.C. § 2253; Fed. R. App. P. 22(b).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge